

IN THE UNITED STATES FEDERAL DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

HENRY THOMAS
Defendants.

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CR. NO. 2:06cr294WKW

MOTION TO CONTINUE TRIAL

COMES, James R. Cooper, Jr. who gives moves this Court to continue this case presently set for trial April 23, 2007, and states in support thereof as follows:

1. The government has last week given more discovery to the defendant's attorney. Three inches of new discovery (about two pounds worth of documents) and five new video tapes.
2. The new discovery contains the identities of witnesses who the government contends actually witnessed Mr. Thomas cash stolen postal money orders. Those witnesses live in rural Indiana.
3. In order to assess the credibility of the witnesses, Mr. Cooper and quite possibly his client must travel to rural Indiana and interview them. A phone interview would not be sufficient.
4. The United States postal inspector assigned to this case, Mr. Tynan, spent at least a week in Indiana interviewing those witnesses. While Mr. Cooper hopes that it would not take a week to interview those witnesses, it just very well might. Mr. Cooper does not have adequate time, between now and the trial date to go to Indiana to hunt down and interview those witnesses.
5. The newly discovered identity of those crucial government witnesses, coupled with the fact that Mr. Cooper has to secure the services of various experts (palm prints, video and handwriting) secure the government documents to be examined and then get those results back, requires Mr. Cooper to seek a continuance.
6. It will take much longer to be ready for trial now.
7. Ms. Redmond and Mr. Cooper have discussed continuing this case. Ms.

Redmond does not oppose a continuance.

RESPECTFULLY SUBMITTED,

s/James R. Cooper, Jr. (COO021)
COOPER & COOPER
Attorney for Defendant
312 Scott Street
Montgomery, AL 36104
(334) 262-4887

CERTIFICATE OF SERVICE

I hereby certify that on this the 5th day of March, 2007, I have served a copy of the foregoing **Motion for Continuance** upon Ms. Susan Redmond , Asst. U.S. Attorney, P.O. Box 197, Montgomery, Alabama 36101 and by electronic case filing, by placing a copy of same in the United States Mail properly addressed and postage prepaid.

s/James R. Cooper, Jr. (COO021)